



PUBLIC NOTICE

Federal Communications Commission
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DA 17-982
October 6, 2017

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF BENCHMARK COMMUNICATIONS, LLC TO JMF SOLUTIONS, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-267

Comments Due: October 20, 2017
Reply Comments Due: October 27, 2017

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Benchmark Communications, LLC (Benchmark), Hunt Telecommunications, LLC (Hunt), Crescent Affiliates, Inc. (Crescent), and JMF Solutions, Inc. (JMF Solutions) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting approval for the transfer of control of Benchmark from Hunt and Crescent to JMF Solutions.¹

Benchmark, a Louisiana limited liability company, resells local and long distance services to multiple dwelling units in Alabama, Louisiana, Florida, and Mississippi. Benchmark is currently owned by Hunt (50 percent), a Louisiana limited liability company, that provides competitive local exchange and long distance services in Louisiana, and Crescent (50 percent), a Louisiana corporation that serves as an investor and does not itself provide telecommunications services.

JMF Solutions, an Alabama corporation, provides Voice over Internet Protocol and competitive telecommunications services in Alabama and Florida. The following U.S. citizens own a 10 percent or greater direct interest in JMF Solutions: John Michael Francis, II (52 percent); Blake Svoboda (17 percent); and Mark Guidry (12 percent). Applicants state that neither JMF solutions, nor Mr. Francis, Mr. Svoboda, or Mr. Guidry, hold interests in any other telecommunications carrier.

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed an application for the transfer of authorizations associated with international services. On October 5, 2017, Applicants filed a supplement to their domestic section 214 application. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

Pursuant to the terms of the proposed transaction, JMF Solutions will acquire all of the equity interests in Benchmark from Hunt and Crescent.² Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

Domestic Section 214 Application Filed for the Transfer of Control of
Benchmark Communications, LLC to JMF Solutions, Inc., WC Docket No. 17-267
(filed Sept. 22, 2017).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before October 20, 2017**, and reply comments **on or before October 27, 2017**. Pursuant to section 63.52 of the Commission's rules, 47 CFR § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@fcc.gov;
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov;
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov;
- 4) David Krech, International Bureau, david.krech@fcc.gov; and
- 5) Sumita Mukhoty, International Bureau, sumita.mukhoty@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a

² Applicants provide, as Exhibit A attached to their application, the pre and post-closing structure of the related companies to this transaction.

³ 47 CFR § 63.03(b)(2)(i).

copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Myrva Charles at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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